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PART II—Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 11th August, 2000:—

BILL No. LI OF 2000

A Bill further to amend the Passport (Entry into India) Act, 1920.

BE it enacted by Parliament in the Fifty-first Year of the Republic of India as follows:—

1. This Act may be called the Passport (Entry into India) Amendment Act, 2000.

Short title.

2. In section 3 of the Passport (Entry into India) Act, 1920 (hereinafter referred to as the principal Act), in sub-section (3), for the words "punishable with imprisonment for a term which may extend to three months, or with fine or with both", the words "punishable with imprisonment for a term which may extend to five years, or with fine which may extend to fifty thousand rupees, or with both" shall be substituted.

Amendment of section 3.

3. After section 3 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 3A.

"3A. Whoever having been convicted of an offence under any rule or order made under this Act is again convicted of an offence under this Act shall be punishable with double the penalty provided for the later offence.".

Punishment for subsequent offences.

4. In section 4 of the principal Act, in sub-section (2), for the words and figures "section 61 of the Code of Criminal Procedure, 1898," the words and figures "section 57 of the Code of Criminal Procedure, 1973", shall be substituted.

Amendment of section 4.

STATEMENT OF OBJECTS AND REASONS

The entry and exit of persons from India was governed by the Indian Passport Act, 1920. The said Act was amended in 1967 to change its short title as the Passport (Entry into India) Act, 1920 and a new legislation, namely, the Passports Act, 1967 was also enacted to provide for the issue of passports and travel documents to regulate the departure from India of citizens of India and other persons and for matters incidental or ancillary thereto. The provisions contained in section 12 of the Passports Act, 1967 were amended in 1993 to provide for an imprisonment for a term extending up to five years or fine up to fifty thousand rupees. Sub-section (4) of section 12 provides double the penalty for a previously convicted person. As compared to this, the penalty provided for the offences under the Passport (Entry into India) Act, 1920 and the rules made thereunder, which is presently three months imprisonment or with fine or both, is not deterrent enough. The existing Act came into force when Pakistan, Bangladesh and Myanmar did not exist as separate countries, and the country did not face the situation that prevails along our borders today. In view of the problems being faced by the border States from these countries by illegal migration, clandestine activities, such as, smuggling of arms, ammunition and narcotics, and movement of persons having links with terrorists and terrorist organizations, it is felt necessary to enhance the penalty provided in the Passport (Entry into India) Act, 1920 so as to bring it as par with the penalty provided in section 12 of the Passport Act, 1967.

2. The Bill seeks to achieve the above objects.

NEW DELHI,
The 4th August, 2000.

L.K. ADVANI.

R.C. TRIPATHI,
Secretary-General.